

EXHIBIT 10

From: [J Edward Bell](#)
To: [Mirsky, Sara J. \(CIV\)](#); [Turner, Joseph B. \(CIV\)](#); [Zina Bash](#); [Dawn Bell](#); [Kevin Dean](#); [Matthew D. Quinn](#)
Subject: Camp Lejeune-ATSDR files
Date: Thursday, February 1, 2024 2:03:35 PM
Attachments: [image001.png](#)
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Good Afternoon Sara,

I appreciate your email of January 30, 2024, concerning the PLG's request for the ATSDR's "water modeling" and "health effects" complete project files (the "project files"). Unfortunately, however, we believe that the government's position on this matter fails to satisfy the discovery rules and is generally insufficient. **We request that the government produce the projects files immediately.**

Further, we are presently considering whether this matter must now be addressed with the Court. That said, in the interest of continuing our discussion, we are providing the following response to your referenced email.

First, we are writing to propose the PLG's virtual bates-labeling proposal for the project files. The process would involve the following:

1. The ATSDR project files would be cloned.
2. The cloned ATSDR project files would be processed as any other ESI document collection. This would assign bates numbers, gather file metadata, and create a load file.
3. The end product of Step 2 would be that all of the names of the files from the ATSDR project files would be converted to bates-referenced file names.
4. The ESI process would also create what is known as a load file. A load file organizes a document collection and associated metadata so that the production can easily be exported and ingested into a separate e-discovery database.

5. The load file can be converted to a spreadsheet which would have three key fields: (1) File (original name), (2) bates number of that file, and (3) the original file path. This is the “virtual bates stamping” in that three data points allow any file from the native ATSDR project files to be cross-referenced with the bates number to which it has been assigned. The file name and path would create a unique identifier for that file which would allow the original files to be found in the native ATSDR project files set.
6. Below is an fictitious example. The yellow column headings are the three key fields.

The PLG believes that any person with ESI experience will understand the steps above and appreciate how the Excel format load file would serve as the virtual bates-stamp reference for the native version of each ATSDR project file. We have consulted with the PLG's technical and ESI consultants, who believe that this approach is practical, will preserve all metadata, and will enable the parties to track the government's production. Further, this process can be completed quickly and allow production of the complete project files almost immediately—in stark contrast to the government's proposal, which would seemingly take at least 45 days.

In short, the PLG's virtual bates-labeling proposal would address the concerns of both the PLG and the government and should therefore be adopted. If helpful, the PLG will make a technical consultant available to answer any questions about this proposal.

Second, you agreed to investigate whether the government can provide an example of the “data use agreements” discussed during our meet and confer of January 29, 2024. Please let us know when the government will provide such an example “data use agreement” so that we can evaluate the government’s concerns with respect to the “health effects” portion of the project files.

Third, we request that the government promptly provide a report (such as a Tree-size report) of the project files, detailing the name and size of all items contained in the project files. We asked for such a report in the PLG's email of January 29, 2024. This report can be generated quickly and would not divulge any confidential information. The report should be produced without delay.

We look forward to your prompt response. The present email does not respond to each issue raised in your email of January 30, 2024.

Sincerely,

Ed Bell



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